

Brent O. Hatch (5715)
Mark F. James (5295)
HATCH, JAMES & DODGE
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
Telephone: (801) 363-6363
Facsimile: (801) 363-6666

Robert Silver (admitted pro hac vice)
Edward Normand (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, New York 10504
Telephone: (914) 749-8200
Facsimile: (914) 749-8300

Stuart H. Singer (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
401 East Las Olas Boulevard – Suite 1200
Ft. Lauderdale, Florida 33301
Telephone: (954) 356-0011
Facsimile: (954) 356-0022

Stephen N. Zack (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
Bank of America Tower – Suite 2800
100 Southeast Second Street
Miami, Florida 33131
Telephone: (305) 539-8400
Facsimile: (305) 539-1307

Attorneys for The SCO Group, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,

Plaintiff,

v.

NOVELL, INC.,

Defendant.

**EX PARTE MOTION FOR LEAVE TO
FILE OVERLENGTH
MEMORANDUM**

Case No. 2:04CV00139
Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

Plaintiff The SCO Group (“SCO”) hereby moves the Court pursuant to District Court Rule 7-1(e) for an Order granting SCO leave to file a Memorandum in Opposition to Novell’s Motion to Stay Claims Raising Issues Subject to Arbitration that consists of 26 pages, exclusive of the face sheet, table of contents, table of authorities, and exhibits.

SCO's Motion is made upon the grounds that a memorandum of the indicated length is necessary given the complex nature of the issues raised by Novell's Motion and of the applicable law.

SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully and fairly address the issues being placed before the Court.

SCO respectfully requests that it be allowed to file a Memorandum containing 26 pages, exclusive of the face sheet, table of contents, table of authorities, and exhibits.

DATED this the 26th day of May, 2006.

HATCH JAMES & DODGE

Brent O. Hatch

Mark F. James

BOIES, SCHILLER & FLEXNER LLP

Robert Silver

Stuart H. Singer

Edward Normand

By: /s/ Brent O. Hatch

Counsel for The SCO Group, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of May, 2006, I caused to be served a true and correct copy of the foregoing by CM/ECF to the following:

Thomas R. Karrenberg
John P. Mullen
Heather M. Sneddon
ANDERSON & KARRENERG
700 Bank One Tower
50 West Broadway
Salt Lake City, UT 84101

Michael A. Jacobs
Matthew I. Kreeger
MORRISON & FOERSTER
425 Market Street
San Francisco, CA 94105-2482

/s/ Brent O. Hatch
